

Message Text

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C O N F I D E N T I A L SECTION 1 OF 2 USNATO 4876

DISTO

E.O. 11652: GDS

TAGS: PARM, NATO

SUBJECT: MEETING OF NATO DISARMAMENT EXPERTS, OCTOBER 9-10

SUMMARY: THIS CABLE REPORTS HIGHLIGHTS OF NATO DISARMAMENT
EXPERTS DISCUSSION OCTOBER 9-10 ATTENDED BY REPRESENTATIVES OF
ELEVEN COUNTRIES (ALL NATO MEMBERS EXCEPT PORTUGAL, GREECE,
ICELAND AND LUXEMBOURG). MOST INTERESTING AND EXTENSIVE DISCUSSIONS
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TOOK PLACE ON CHEMICAL WEAPONS (CW) NEGOTIATIONS AND THE RECENT
JAPANESE CW PROPOSAL, THE QUESTION OF FUTURE DISARMAMENT FORUMS,
AND PREPARATION FOR THE NON-PROLIFERATION TREATY (NPT) REVIEW
CONFERENCE. VIEWS WERE ALSO EXCHANGED ON QUESTION OF ELIMINATING

RESERVATIONS TO THE GENEVA PROTOCOL OF 1925, HOW TO HANDLE COMPREHENSIVE TEST BAN (CTB) AT FORTHCOMING UNGA, HOW TO HANDLE FUTURE DISCUSSIONS REGARDING NAPALM AND OTHER INCENDIARY WEAPONS, THE NEW SOVIET UNGA ITEM ON REDUCTION OF MILITARY BUDGETS (ROB), THE QUESTION OF THIRD COUNTRY ASSOCIATION WITH THE U.S.-SOVIET AGREEMENT ON PREVENTION OF NUCLEAR WAR (PNW), AND CERTAIN LAWS OF WAR QUESTIONS ANTICIPATED AT FORTHCOMING CONFERENCE IN TEHERAN ON DRAFT PROTOCOLS TO 1949 GENEVA CONVENTION. THE INDIAN OCEAN PEACE ZONE ITEM WAS NOT DISCUSSED DESPITE ITS EARLIER LISTING ON THE AGENDA. ALTHOUGH MANY OF THE ABOVE ITEMS HAD BEEN DISCUSSED BEFORE IN EARLIER EXPERTS MEETING OR IN NATO POLADS, PARTICIPANTS IN THE MEETINGS EXPRESSED OPINION THAT SESSION HAD BEEN CONSIDERABLY MORE INTERESTING AND ACTIVE THAN HAD BEEN GENERALLY EXPECTED. FRENCH REP (MISTRAL) PARTICIPATED ACTIVELY THROUGHOUT ENTIRE SESSION AND PARTICULARLY IN DISCUSSION OF DISARMAMENT FORUMS, DURING WHICH ITEM HE SPOKE FIVE TIMES. END SUMMARY.

1. CW ARMS CONTROL. MOST EXPERTS EXPRESSED CONCERN REGARDING LACK OF CW NEGOTIATIONS AT CCD, WITH UK REP (SUMMERHAYES) FEARING NON-ALIGNED MIGHT SEEK TO PURSUE CW IN A NEW FORUM, THE UN DISARMAMENT COMMITTEE (UNDC), WHICH IT WOULD BE VERY DIFFICULT FOR WESTERN POWERS TO CONTROL. MOST EXPERTS ALSO BELIEVED RECENT JAPANESE PROPOSAL FOR PARTIAL MEASURE, WITHIN COMPREHENSIVE FRAMEWORK, COULD REVITALIZE CCD'S WORK IN THIS FIELD. UK REP, HOWEVER, QUESTIONED WHETHER VERIFICATION POSSIBILITIES UNDER JAPANESE PRODUCTION BAN PROPOSAL WOULD BE ADEQUATE; HE ALSO SAID IT WAS THEREFORE POSSIBLE THAT NO SATISFACTORY CW TREATY MIGHT BE ACHIEVEABLE BECAUSE ADEQUATE VERIFICATION FOR A COMPREHENSIVE TREATY UNATTAINABLE. FRG REP (HAUBER) EXPRESSED PREFERENCE FOR COMPREHENSIVE CW BAN, BUT AGREED WITH U.S. STATEMENTS AT GENEVA ON DIFFICULTY OF VERIFYING ELIMINATION OF STOCKPILES. FRG WOULD NOT STAND IN WAY OF PARTIAL TREATY IF THIS COULD BE WORKED OUT. RE JAPANESE PROPOSAL, MOST REPS THOUGHT THAT ITS COMPLICATED AND UNUSUAL COMPREHENSIVE FORMAT WAS NOT PRACTICAL, BUT FRG REP AND ITALIAN REP (FONTANA-GIUSTI) COMMENTED THAT PROPOSAL COULD SERVE AS STIMULUS FOR DEVELOPING SOME SUITABLE "LINKAGE" BETWEEN PARTIAL APPROACH AND COMPREHENSIVE OBJECTIVE.
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2. CW - RESERVATIONS TO 1925 GENEVA PROTOCOL. DUTCH REP (ETTEMA) RAISED POSSIBILITY OF SWEDES PROPOSING UNGA RES CALLING FOR DROPPING OF RESERVATIONS TO 1925 GENEVA PROTOCOL, OR DECLARING THESE RESERVATION INVALID. THIS LED TO DISQUISITION BY FRENCH REP (MISTRAL) ON IMPROPRIETY OF IDEA OF UN ATTEMPTING TO TAKE ACTION PURPORTING TO CHANGE RETROACTIVELY THE MEANING OF AN INTERNATIONAL TREATY. THIS "SIMPLY NOT DONE."

3. CTB. CANADIAN REP (ROWE) PROVIDED VERY GENERAL BRIEFING ON CANADIAN EFFORT TO DEVELOP SINGLE DRAFT UNGA RES IN CONSULTATION WITH AUSTRALIA, N.Z., MEXICO AND SWEDEN. UK REP ARGUED FOR DEVELOPMENT OF MODERATE RES WHICH MOST NATO MEMBERS, INCLUDING PARTICULARLY THE UK, COULD SUPPORT. U.S. REP (NEIDLE) POINTED

OUT THERE ARE DANGERS IN ATTEMPTING NEGOTIATE ONLY ONE CTB RES (AS OPPOSED TO SITUATION LAST YEAR WHEN UN MEMBERS CONSIDERED THREE DIFFERENT RESES), SINCE CANADIANS WOULD BE PRESSED TO INCLUDE EXTREME ELEMENTS IN ANY SINGLE RES. CANADIAN REP SAID IT WAS CANADIAN INTENTION TO CONSULT ALLIES IN NEAR FUTURE ON TEXT OF THEIR RES.

4. DISARMAMENT FORUMS. MOST REPS, PARTICULARLY UK, STRESSED IMPORTANCE OF CONTINUING WORK AT GENEVA DISARMAMENT COMMITTEE (CCD) AND THOUGHT THAT, OF THE POSSIBILITIES FOR NEW ORGANIZATIONAL STEPS AT FORTHCOMING GA, RECONVENING OF UNITED NATIONS DISARMAMENT COMMISSION (UNDC) WAS LEAST DESIRABLE ALTERNATIVE. FRENCH REP, WHO SPOKE FIVE TIMES DURING DISCUSSION OF THIS ITEM, CALLED ATTENTION TO NEED FOR DISARMAMENT NEGOTIATING BODY WHICH INCLUDED ALL NUCLEAR POWERS, SAID THAT PRC COULD NOT JOIN EVEN A MODIFIED CCD BECAUSE OF ITS "ORIGINAL SIN" OF CREATION BY U.S. AND USSR, AND STATED THAT "WE" (PRESUMABLY MEANING HE AND SOME COLLEAGUES IN THE FONOFF) WERE CONSIDERING WHETHER EFFORT SHOULD NOT BE UNDERTAKEN TO DEVELOP NEW NEGOTIATING BODY OF LIMITED SIZE TO INCLUDE ALL NUCLEAR POWERS. IN ANSWER TO QUESTION, HE EXPRESSED OPINION THAT PRC'S PROPAGANDISTIC APPROACH TO SUCH ISSUES AS NON-USE OF NUCLEAR WEAPONS AND ELIMINATION OF FOREIGN BASES WOULD IN TIME BE VIEWED BY PRC AS A MATTER SEPARATE AND APART FROM QUESTION OF A NEGOTIATING FORUM, WHICH IT MIGHT COME TO SEE VALUE OF PARTICIPATING IN. IN SUBSEQUENT PRIVATE CONVERSATION WITH U.S. REP, MISTRAL SAID HE BELIEVED IT WOULD TAKE ABOUT FIVE OR SIX YEARS BEFORE NEW FORUM INCLUDING ALL NUCLEAR POWERS MIGHT BE SET

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UP AND HE THOUGHT CCD WOULD CONTINUE FUNCTIONING UNTIL THAT TIME.

5. NPT REVIEW CONFERENCE. DUTCH REP SAID THAT REVIEW CONFERENCE SHOULD NOT BE VIEWED AS MERE "HOLDING OPERATION" BUT AS OPPORTUNITY TO MAKE TREATY APPEAR MORE ATTRACTIVE TO COUNTRIES NOT YET PARTIES. HE QUESTIONED WHETHER STRICT VIEW NEED BE TAKEN OF NPT'S PROVISION CALLING FOR CONFERENCE OF "THE PARTIES." UK REP STRESSED THAT NPT, THOUGH FIVE YEARS OLD, WAS ONLY RECENTLY BEGINNING TO BE ADHERED TO BY A WIDE NUMBER OF COUNTRIES AND THEREFORE IT WOULD NOT SEEM APPROPRIATE AT THIS TIME TO CONSIDER CHANGES IN TREATY STRUCTURE, SUCH AS AMENDMENTS. (U.S. AND UK REPS CONSULTED ON THIS POINT PRIVATELY IN ADVANCE AND UK REP DECIDED IN LIGHT OF THIS DISCUSSION TO SPEAK AGAINST POSSIBILITY OF AMENDMENTS EVEN THOUGH EARLIER UK

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THINKING HAD BEEN THAT AMENDMENTS MIGHT BE CONSIDERED AT REVIEW CONFERENCE.) WHILE RECOGNIZING THAT THERE WAS BROAD INTEREST IN SUBJECT OF NON-PROLIFERATION, BOTH U.S. AND UK REPS STRESSED NEED TO SUPPORT EXISTING TREATY. U.S. REP DESCRIBED IN GENERAL TERMS U.S. THINKING REGARDING PREPARATIONS FOR A REVIEW CONFERENCE AND DESIRABILITY OF BRIEF AND SIMPLE UNGA RESOLUTION THIS FALL. IN ANSWER TO DUTCH QUESTION, HE EXPRESSED OPINION THAT REVIEW CONFERENCE WAS MATTER FOR THE PARTIES SINCE HE BELIEVED IT HAD BEEN INTENDED BY TREATY THAT PARTIES SHOULD HAVE OPPORTUNITY TO REVIEW CONFIDENTIAL

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HOW THE RIGHTS AND OBLIGATIONS WHICH THEY HAD UNDERTAKEN IN TREATY WERE BEING REALIZED. NETHERLANDS AND GERMAN REPS REPORTED ON PLANS OF THEIR GOVERNMENTS TO PROCEED RAPIDLY WITH NPT RATIFICATION, WITH FRG REP STATING FRG HOPE THAT PROCESS WOULD BE COMPLETED BY SPRING OF 1974. (WE LEARNED BEFORE MEETING THAT ITALIAN POLAD ON "HIGH-LEVEL INSTRUCTIONS" HAD REQUESTED NATO INTERNATIONAL STAFF (IS) TO DELETE NPT REVIEW CONFERENCE ITEM FROM AGENDA OF MEETING; COMPROMISE REACHED PRIVATELY WAS THAT DUTCH WOULD RAISE REVIEW CONFERENCE UNDER "ANY OTHER BUSINESS.")

6. NAPALM. MOST REPS, WITH STRONGEST STATEMENT BY UK REP, BELIEVED QUESTION OF POSSIBLE AGREEMENT LIMITING USE OF NAPALM AND OTHER INCENDIARIES SHOULD PREFERABLY BE DISCUSSED IN CCD RATHER THAN FORTHCOMING GENEVA DIPLOMATIC CONFERENCE. FRG AND CANADIAN REPS

SAID THAT IN ADDITION TO CCD WORK ON ARMS CONTROL ASPECTS, MORE STUDIES ON SUBJECT OF INCENDIARIES MIGHT ALSO BE CONDUCTED IN ICRC CONTEXT. DUTCH AND DANISH REPS EXPRESSED PREFERENCE FOR PURSUING INCENDIARIES QUESTION AS HUMANITARIAN ISSUE IN GENEVA DIPLOMATIC CONFERENCE CONTEXT, RATHER THAN CCD, ALTHOUGH DUTCH REP ALSO NOTED THAT INCENDIARIES MIGHT BE DISCUSSED IN CCD. FRENCH REP EXPRESSED STRONG DOUBTS ABOUT POSSIBILITY OF DRAWING MEANINGFUL DISTINCTIONS BETWEEN INCENDIARY WEAPONS AND OTHER WEAPONS BUT THOUGHT THAT ANY DISCUSSION OF RESTRAINTS ON THESE WEAPONS SHOULD BE IN "THE EXISTING DISARMAMENT FORUM."

7. SOVIET ROB PROPOSAL. FRG REP (ANDREAE) SUGGESTED EXCHANGE OF VIEWS ON RECENT SOVIET PROPOSAL FOR SECURITY COUNCIL PERMANENT MEMBERS AT UNGA TO REDUCE MILITARY BUDGETS BY TEN PERCENT AND TRANSFER PART OF SAVINGS TO AID FOR LDC'S. ENSUING DISCUSSION REVEALED THAT ALL EXPERTS HELD VIEWS IN WHOLE OR IN PART IDENTICAL WITH VIEWS CONTAINED IN U.S. INITIAL GUIDANCE (STATE 194560). WHILE NOT EVERY EXPERT MADE COMMENTS EXPRESSING ALL OF THE POINTS CONTAINED IN OUR GUIDANCE, NONE OF THEM MADE COMMENTS CONTRARY TO ANY OF THE U.S. VIEWPOINTS.

8. PNW AGREEMENT. CANADIAN REP REPORTED DEMARCHE MADE IN OTTAWA SEPTEMBER 13 BY VISITING SOVIET OFFICIAL TO CANADIAN DEPUTY UNDER SECRETARY THAT SOVIETS WOULD WELCOME CANADIAN ADHERENCE TO PRINCIPLES OF U.S.-SOVIET PNW AGREEMENT AND, IF CANADIANS SAW FIT TO INTRODUCE RESOLUTION ON PNW AGREEMENT OR TAKE SOME OTHER INITIATIVE AT UNGA, SOVIETS WOULD BE DISPOSED TO SUPPORT IT. U.S. REP
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DESCRIBED U.S. VIEW OF PNW AGREEMENT AS BILATERAL MATTER BETWEEN U.S. AND SOVIET UNION AND OUR DESIRE THAT AGREEMENT NOT BE SUBJECT TO ANY KIND OF UN ACTION WHICH WOULD PUT IT IN MULTILATERAL SETTING AND RESULT IN EXTENSIVE POLEMICS UNHELPFUL TO PURPOSES OF AGREEMENT.

9. LAWS OF WAR. FRENCH EXPERT (CUNY) SAID THAT AT FORTHCOMING CONFERENCE IN TEHERAN IN NOVEMBER DRAFT ADDITIONAL PROTOCOLS TO 1949 GENEVA CONVENTION WOULD BE CONSIDERED AND HE WISHED DESCRIBE PROBLEMS REGARDING RETALIATION, USE OF NUCLEAR WEAPONS, AND ABSENCE OF POSSIBILITY OF RESERVATIONS, STEMMING FROM ARTICLES 20, 45, 48, 49 AND 85. HE ARGUED THAT DRAFT APPEARED TO OUTLAW RETALIATION AGAINST CIVILIAN POPULATIONS. HOWEVER, THIS MUST BE RETAINED SINCE RIGHT OF SELF DEFENSE INCLUDES RIGHT TO RETALIATE IN KIND, INCLUDING RETALIATION AGAINST CIVILIAN POPULATIONS. ALSO, STRICTURE AGAINST INDISCRIMINATE USE OF WEAPONS WITHOUT DISTINGUISHING BETWEEN DIFFERENT KINDS OF WEAPONS WOULD APPEAR TO PROHIBIT USE OF NUCLEAR WEAPONS WHICH COULD NOT HELP BUT HAVE SOME INDISCRIMINATE EFFECT. FINALLY, DRAFT EXCLUDED POSSIBILITY OF RESERVATIONS BY RATIFYING COUNTRIES. FOR THESE REASONS, FRENCH EXPERT BELIEVED NATO COUNTRIES IN TEHERAN SHOULD NOT FIND DRAFT ACCEPTABLE. CHAIRMAN THANKED FRENCH REP AND SUGGESTED THAT MATTER BE DISCUSSED SUBSEQUENTLY, PERHAPS ALSO BILATERALLY AND IN NATO

POLITICAL COMMITTEE.

10. NEXT MEETING. IS CHAIRMAN SUGGESTED THAT MARCH 19-20, 1974, BE
TENTATIVELY SET AS DATES FOR NEXT EXPERTS SESSION.

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